



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,570	11/19/2001	Manfred Bartz	CYPR-CD01167M	1199

7590 03/25/2004  
WAGNER, MURABITO & HAO LLP  
TWO NORTH MARKET STREET, THIRD FLOOR  
SAN JOSE, CA 95113

EXAMINER

DIMYAN, MAGID Y

ART UNIT	PAPER NUMBER
----------	--------------

2825

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary****Application No.**

09/989,570

**Applicant(s)**

BARTZ ET AL.

**Examiner**

Magid Y Dimyan

**Art Unit**

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 and 27-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 27-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Acknowledgement***

1. Receipt is acknowledged to the Amendments, and to the Remarks, filed 29 December 29, 2003.

### ***Response to Amendment***

2. The Examiner has found the Applicants' arguments in the Remarks referred to above are persuasive in that the prior art cited by the Examiner in the Office Action do not teach all the elements of the claims in this application. However, the Examiner has found other grounds for rejection as recited below.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2825

4. Claims 1, 3, 4, 5, 6, 7, 8, 9, 27, 28, 30, 31, 32, 34 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,544,067 to Rostoker et al (hereinafter, Rostoker).

5. Referring to claim 1, Rostoker discloses a method and system for creating, deriving and validating (i.e., facilitating) circuit design that (a) displays information related to macros and modules (column 6, lines 62 – 65; column 7, lines 35 – 39) for implementing a circuit design (Fig. 15); and (b) a computer program (column 1, lines 44 – 67) to determine a valid position for the module (see column 18, lines 10 – 54, which teach that modules are treated as basic building blocks, and are thus laid out as standard cells; see also column 30, lines 20 – 26). A graphical User Interface (GUI) is well known in the art, and is in fact used by Rostoker in his invention (column 52 – 58; Fig. 8, block 806). GUI's with icons showing available module resources are displayed in Fig. 15 and described on column 9, lines 3 – 36. Thus, Rostoker cites all the limitations claimed herein.

6. Referring to claims 2, 4, 5 and 6, Rostoker stated that modules in a circuit design are treated like standard cells. It is well known in the art that layout tools used in circuit layouts offer the flexibility of determining valid positions of these cells based on a user request, and can move any of these calls based on user inputs. See also 5 above. The use of a GUI is also cited above. Thus, Rostoker describes all the elements of these claims.

Art Unit: 2825

7. As per claims 7 and 8, see column 6, line 66 to column 7, line 3 which cite how datasheets for the modules can be generated in a graphical environment, as claimed herein.

8. As per claim 9, see column 30, lines 60 – 64, which show how a schematic diagram of a circuit can be displayed, as claimed.

9. As per claim 27, see (5) above as well as Fig. 13 – 15, which teach the limitations of this claim.

10. Claims 28, 30, 31, 32 and 37 contain the same limitations as claims 1, 3, 4, 5 and 9, respectively, and therefore the same rejections apply.

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 2, 10, 11, 12, 14 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent No. 5,544,067 to Rostoker in view of Publication No. US 2002/0099863 to Comeau et al (hereinafter, Comeau).

13. Referring to claims 2, 10, 11, 12 and 14, the teachings of Rostoker are recited above, and described in detail in his disclosure. However, Rostoker does not disclose the use of an Application Programming Interface (API), or the use of an Interrupt Vector Table having a call to an interrupt service routine, as claimed herein. On the other hand, Comeau teaches an apparatus that supports processors executing interpreted language applications that use API (page 3, paragraph 0043), an interrupt vector table (page 3, paragraph 0035), and an interrupt service routine that may be tied to threads under control of the scheduler (page 4, paragraph 0049). See also Figs. 2, 4 and 5 for more details of these features claimed by Comeau. Furthermore, Comeau provides a motivation for incorporating these features in a design platform. As cited by Comeau in the Abstract and on page 1, paragraph 0014, using these features allows programming across various platforms (i.e., makes it independent of the processor platform), and thus eliminates the need for an operating system. It would therefore be obvious to one having ordinary skill in the art at the time of the invention to combine the teachings of Rostoker and Comeau to obtain the same inventions as claimed herein.

14. Claim 29 has the same limitations as claim 2, and thus the same rejections apply.

15. Claims 13, 15, 16, 33, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rostker in view of Comeau and further in view of Zizzo (U.S. Patent No. 6,578,174).

16. The teachings of Rostker and Comeau are cited above, and described in more detail in their inventions. However, Neither invention refers to the use of XML descriptions of modules, or HTML datasheets of the modules, as claimed herein. Both XML and HTML are well known in the art, as are cited by Zizzo (see column 7, lines 47 – 52; column 9, lines 20 – 30). As stated by Zizzo, both these languages are well known in the art, and are particularly useful for transmitting information over the Internet, and this provides a motivation for combining all three inventions. It would therefore be obvious to one having ordinary skill in the art to obtain the same inventions as claimed by combining all three inventions.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magid Y Dimyan whose telephone number is (571) 272-1889. The examiner can normally be reached on Monday - Friday 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S Smith can be reached on (571) 272-1907. The fax phone

Art Unit: 2825

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Magid Y Dimyan  
Examiner  
Art Unit 2825

myd



**LEIGH M. GARBOWSKI**  
**PRIMARY EXAMINER**